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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/619,857

07/14/2003

Amit Haller

1005-36-01 USP

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CENTURY IP GROUP, INC. [Main]  
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EXAMINER

GONZALEZ, AMANCIO

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

05/01/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/619,857	<b>Applicant(s)</b> HALLER ET AL.	
	<b>Examiner</b> AMANCIO GONZALEZ	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03/24/2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/24/2008 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda (US PGPub 20020159406), hereafter "Fukuda," in view of Bryson (US 20040185777 A1), hereafter "Bryson."

Consider claim 26. Fukuda discloses establishing a first connection between a mobile device **(101)** and a first terminal **(102-104)** using a short range communication protocol **(Bluetooth)** **(see fig. 1, par. 0004)**. Fukuda discloses establishing a second connection between a cellular network **(200)** and the mobile **(101)** device using a wide range communication protocol **(see fig. 1, par. 0020 lines 1-10)**. Fukuda discloses receiving a first request from the first terminal **(4)** over the first connection **(10)** to communicate with the cellular network **(20)** over the second connection **(10-to-20)** **(see fig. 4, fig. 8, par. 0049 lines 1-4, pars. 0097, 0099)**. Fukuda discloses providing the first terminal **(4)** with a first IP address over the first connection **(10)**, such that the first terminal **(4)** is distinguishable from other terminals **(fig. 1: 102, 103)** capable of connecting to the mobile device **(2)** **(see figs. 1 and 4, par. 0059)**. Fukuda discloses receiving data communicated over the second connection **(10-to-20)** from the cellular network **(20)** **(see fig. 4, par. 0059 lines 15-23)**. Fukuda discloses communicating the data to the first terminal **(4)** over the first connection **(10)**, in response to determining that the data received from the cellular network **(20)** is designated for the first IP address associated with the first terminal **(4)** **(see fig. 4, par. 0060)**.

Fukuda clearly discloses attaching a cellular data service in a cellular network **(200)** to a short distance wireless network **(100)**, connecting host devices **(102-104)** and Internet network **(300)** to each other in a wireless LAN **(100)** or dial-up network session, utilizing TCP/IP as shown above **(see fig. 1, pars. 0004, 0005, 0121; also see pars. 0020, 0022, 0059, where Fukuda discusses TCP/IP data encapsulation between the host devices and the mobile gateway and between the mobile gateway and**

**the cellular and internet networks)**, but does not **explicitly** refer to discontinuing the first connection after the first terminal, in response to determining that the data has been received by the first terminal or discontinuing the second connection, in response to determining that no terminals connected to the mobile device require access to the cellular network, wherein the above establishing, receiving, providing, communicating, and discontinuing steps are performed by a routing software executing on the mobile device.

Bryson teaches discontinuing the first connection after the first terminal, in response to determining that the data has been received by the first terminal or discontinuing the second connection, in response to determining that no terminals connected to the mobile device require access to the cellular network, wherein the above establishing, receiving, providing, communicating, and discontinuing steps are performed by a routing software executing on the mobile device **(see the abstract, par. 0042, where Bryson discusses a Universal Mobile Telephone Service (UMTS) and General Packet Radio Services (GPRS) that can be used in connection with a portable wireless gateway (108) operative to aggregate bandwidth demand of a plurality (112) of user devices, which may communicate with different communications protocols, including IEEE 802.11 wireless Ethernet, Bluetooth, HiperLAN, both UMTS and GPRS system being well known in the art as effecting packet-switching functionality in cellular systems, also being well known in the art that in packet-switching communication data transmissions last only as far as there are packets to be transmitted, hence discontinuing connection when no**

**more data is to be transmitted, i.e., no terminals connected to the mobile device, that is, the wireless gateway, require access to the cellular network, i.e., GPRS or UMTS network).**

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Fukuda and Bryson, which include Universal Mobile Telephone Service (UMTS) and General Packet Radio Services (GPRS) that can be used in connection with a portable wireless gateway (108) operative to aggregate bandwidth demand of a plurality (112) of user devices, which may communicate with different communications protocols, including IEEE 802.11 wireless Ethernet, Bluetooth, HiperLAN, thereby providing means for connectivity on demand for a plurality of wireless devices utilizing a variety of communication protocols, as discussed by Bryson **(see the abstract, pars. 0008, 0009)**.

Claims 31 and 33 address the same subject matter as claim 26, therefore same rejection applies.

Consider claims 27, 30, and 32. Fukuda, as modified by Bryson, teaches claims 26 and 31 respectively. Fukuda further teaches a connection request from the mobile device over the second to communicate with the cellular network (see Fukuda: par. 0104) and receiving data communicated over the second connection from the cellular network and IP connection (see Fukuda: pars. 0059, 0060); and Bryson further teaches routing procedures (see Bryson: pars. 0032, 0039-0041, 0045).

Consider claims 28 and 29. Fukuda, as modified by Bryson, teaches claim 26. Fukuda further teaches Bluetooth (see Fukuda: pars. 0001 and 0039) and Bryson

further teaches IEEE 802.11 (see Bryson: abstract, pars. 0043, 0115) short range communication networks.

### ***Conclusion***

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
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**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amancio González, whose telephone number is (571) 270-1106. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Charles Appiah, can be reached at (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

AG/ag

April 26, 2008

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617